

2157/Gpw

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants: Billot et al.

Serial No. 10/521,508  
09/626,699

Filed: January 18, 2005

For: EP4 Receptor Agonist, Compositions and Methods  
Thereof

Art Unit: To be Assigned

Examiner: To be Assigned

Commissioner for Patents  
P.O. Box 1450  
Alexandria, Virginia 22313-1450

INFORMATION DISCLOSURE STATEMENT  
UNDER 37 CFR 1.97

Sir:

1. In compliance with 37 C.F.R. 1.97, submitted on the attached form herewith is a list of patents, publications or other information which are requested to be made of record in this application. This Information Disclosure Statement is not an admission that any patent, publication or other information referred to herein is "prior art" for this invention. In accordance with 37 C.F.R. 1.97(h), the filing of this Information Disclosure Statement shall not be construed to be an admission that the information cited in the Statement is, or is considered to be, material to patentability as defined in 37 C.F.R. 1.56(b).
2. In accordance with 37 C.F.R. 1.97(g), the filing of this Information Disclosure Statement shall not be construed to mean that a search has been made.
3. Applicants respectfully request that the Examiner initial the attached form after reviewing the pertinence of each reference.
4. Pursuant to 37 C.F.R. 1.98 (a)(2)(ii), copies of each cited U.S. patent and each U.S. patent application publication are not enclosed herewith.

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, Virginia 22313-1450, on the date appearing below.

MERCK &amp; CO., INC.

By Christine M. Dora Date 4-8-05

## INFORMATION DISCLOSURE STATEMENT

5. Pursuant to 37 C.F.R. 1.98(d), copies of references listed on the attached form that were submitted to or cited by the Office in a related application upon which the instant application relies for an earlier filing date under 35 U.S.C. 120 are not enclosed. Related application(s) in which references were submitted to or cited by the Office are as follows:

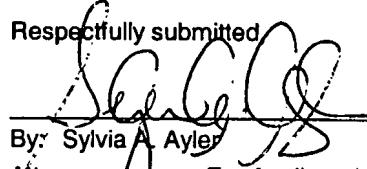
<b>RELATED APPLICATION</b>		
<b>U. S. SERIAL NUMBER</b>	<b>FILING DATE</b>	<b>MERCK CASE</b>

If this is inconvenient, additional copies will be submitted upon request.

6. In accordance with 37 C.F.R. 1.97, (check one)

- the attached information is filed within three months of the filing date of the captioned case.
- the attached information is filed more than three months after the filing date but prior to the mailing of a first Office Action on the merits.
- the attached information is being filed more than three months after the filing date and after the mailing of a first Office Action on the merits, but before the mailing date of a Final Action or Notice of Allowance. The enclosed authorization is therefore given to charge Deposit Account No. 13-2755 for the fee required under 37 C.F.R. 1.17(p).
- the undersigned certifies that each item of information contained in this Information Disclosure Statement was first cited in any communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of this Statement.
- the undersigned certifies that no item of information contained in this Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart foreign application, and, to the knowledge of the person signing the certification after making reasonable inquiry, was known to any individual designated under 37 C.F.R. 1.56(c) more than three months prior to the filing of this Statement.

Respectfully submitted

  
By: Sylvia A. Ayley

Attorney For Applicant(s)

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Date: April 8, 2005

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**INFORMATION DISCLOSURE  
STATEMENT BY APPLICANT**

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of

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**COMPLETE IF KNOWN**

Application Number	09/626,999 10/521,508
Filing Date	January 18, 2005
First Named Inventor	Billot et al.
Group Art Unit	To be Assigned
Examiner Name	To be Assigned

Attorney Docket Number MC060P

**U.S. PATENT DOCUMENTS**

Examiner Initials*	Cite No.	U.S. Patent Document		Name of Patentee or Applicant of Cited Document	Date of Publication of Cited Document MM-DD-YYYY
		Number	Kind Code (if known)		
1.	4,386,098			Woltersdorf Jr. et al.	05/31/1983
2.	4,416,890			Woltersdorf Jr. et al.	11/22/1983
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6.	4,797,413			Baldwin et al.	01/10/1989
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10.	4,883,819			Bito	11/28/1989
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18.	5,889,052			Klimko et al.	03/30/1999
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Examiner Initials*	Cite No.	Foreign Patent Document		Name of Patentee or Applicant of Cited Document	Date of Publication of Cited Document MM-DD-YYYY
		Office	Number	Kind Code (if known)	
21.	PCT	WO 00/38667		Alcon Laboratories	07/06/2000
22.	PCT	WO 99/32441	A1	Alcon Laboratories	07/01/1999
23.	PCT	WO 99/02165	A1	Pharmacia & Upjohn Ab	01/21/1999
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25.	PCT	WO 01/46140	A1	Pfizer Products Inc.	06/28/2001
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28.	PCT	WO 00/38690	A2	Alcon Laboratories, Inc.	07/06/2000
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STATEMENT BY APPLICANT**

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Sheet 2 of 5 Attorney Docket Number MC060P

## **U.S. PATENT DOCUMENTS**

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Examiner Initials*	Cite No.	Foreign Patent Document			Name of Patentee or Applicant of Cited Document	Date of Publication of Cited Document MM-DD-YYYY
		Office	Number	Kind Code (if known)		
42.	EP	EP 1132086		A2	Pfizer Products Inc.	01/31/2000
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47.	PCT	WO 02/077168		A2	Merck & Co. Inc.	10/03/2002
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49.	PCT	WO 00/21542		A1	Merck & Co. Inc.	04/20/2000
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51.	PCT	GB 1 487 842			Hoechst Aktiengesellschaft	10/05/1977

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Substitute for form 1449A/PTO		<b>COMPLETE IF KNOWN</b>			
<b>INFORMATION DISCLOSURE</b> <b>STATEMENT BY APPLICANT</b>  <i>(use as many sheets as necessary)</i>		Application Number <b>697626,999 10/521, 508</b> Filing Date <b>January 18, 2005</b> First Named Inventor <b>Billot et al.</b> Group Art Unit <b>To be Assigned</b> Examiner Name <b>To be Assigned</b>			
APR 11 2005 <i>10/521, 508</i> <i>10/521, 508</i>		Attorney Docket Number <b>MC060P</b>			
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Substitute for form 1449B/PTO <b>INFORMATION DISCLOSURE</b> <b>STATEMENT BY APPLICANT</b> <i>APR 11 2005</i> <i>(use as many sheets as necessary)</i>				<b>COMPLETE IF KNOWN</b>	
Sheet	4	of	5	Application Number	09/626,999 10/521,508
				Filing Date	January 18, 2005
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#### NON PATENT LITERATURE DOCUMENTS

Examiner Initials*	Cite No.	Include name of the author, title, date, page(s), volume-issue number(s) and place of publication.
	54.	A. Ichikawa et al., "Molecular Aspects of the Structures and Functions of the Prostaglandin E Receptors", 1996, pp. 83-87, Vol. 14, J. Lipid Mediators Cell Signaling.
	55.	A. J. Flach et al., "Topical Prostaglandin E2 Effects on Normal Human Intraocular Pressure", 1988, pp. 13-18, Vol. 4, J. Ocular Pharmacology.
	56.	D. F. Woodward et al., "Molecular Characterization and Ocular Hypotensive Properties of the Prostanoid EP2 Receptor", 1995, pp.447-454, Vol. 11, No. 3, J. Ocular Pharmacology.
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	58.	L. D. Waterbury et al., "EP3, but Not EP2, FP, or TP Prostanoid-Receptor Stimulation May Reduce Intraocular Pressure", 1990, pp. 2560-2567, Vol. 31, No. 12, Investigative Ophthalmology and Visual Science.
	59.	E. M. Ross, "Mechanisms of Drug Action and the Relationship Between Drug Concentration and Effects" 1996, Chapter 2, The Pharmacological Basis of Therapeutics.
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	63.	R. A. Schumer et al., "The Nerve of Glaucoma!", 1994, pp. 37-44, Vol. 112, Arch. Ophthalmol.
	64.	L. Dandona et al., "Selective Effects of Experimental Glaucoma on Axonal Transport by Retinal Ganglion Cells to the Dorsal Lateral Geniculate Nucleus", 1991, pp. 1593-99, Vol. 32, No. 5, Investigative Ophthalmol. & Visual Science.
	65.	Ikeda et al., "In Situ Localization of Three Subtypes (EP_1, EP_3 and EP_4) of Prostaglandin E Receptors in Embryonic and Newborn Mice", 1995, Vol. S172, J. Bone Miner Res.
	66.	Rodan et al., "Growth Stimulation of Rat Calvaria Osteoblastic Cells by Acidic FGF", 1987, pp. 1919-1923, Vol. 121, Endocrinology.
	67.	Samuelsson et al., 1995, pp. 499-504, Vol. 23, Advances in Prostaglandin Thrombosanes and Leukotriene Research.
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Examiner Initials*	Cite No.	Include name of the author, title, date, page(s), volume-issue number(s) and place of publication.
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70.	Chomczynski et al., "Signal-Step Method of RNA Isolation by Acid Guanidium Thiocyanate-Phenol-Chloroform Extraction", 1987, pp. 156-159, Vol. 162, Analyt Biochem.	
71.	Weinreb et al., "Different Pattern of alkaline Phosphatase, Osteopontin and Osteocalcin Expression in Developing Rat Bone Visualized by In-Situ Hybridization", 1990, pp. 831-842, Vol. 5, J. Bone Miner Res.	
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73.	M. P. Sibi et al., "A New Electrophilic Alaninol Synthon. A General Route to Ozazolidinones of D or (R)-2-Amino Alcohols from L-Serine", 1994, pp. 1675-1678, Chem. Soc. Perkin Trans.	
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76.	Matsunaga, "Novel Prostaglandin Derivative", Patent Abstracts of Japan, Vol. 007, No. 268 & JP 58 150575.	

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